

PATENT  
09/213,856

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Before the Examiner:  
Scott A. Morgan et al. : Angela Armstrong  
Serial No.: 09/213,856 : Group Art Unit: 2654  
Filed: December 17, 1998 : Intellectual Property  
Title: SPEECH COMMAND INPUT : Law Department - 4054  
RECOGNITION SYSTEM FOR : International Business  
INTERACTIVE COMPUTER DISPLAY : Machines Corporation  
WITH INTERPRETATION OF : 11400 Burnet Road  
ANCILLARY RELEVANT SPEECH : Austin, Texas 78758  
QUERY TERMS INTO COMMANDS : Date: 10/6/04

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence including a Response and an accompanying Terminal Disclaimer is being transmitted via facsimile to USPTO, Group Art Unit 2654 at telephone number 703-872-9306, and to the attention of Examiner A. Armstrong on October 6, 2004.

J. B. KRAFT  
Signature10/6/04  
DateRESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is response to the Decision on Appeal (No. 2004-0143) mailed September 22, 2004 reversing the rejection of claims 1-3, 5-8, 10-13, and 15 under 35 U.S.C. 103.

These claims remain provisionally rejected based upon obvious type double patenting over the combination of pending Application SN. 09/213,858 in view of Morin et al.. The

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Examiner indicated that this rejection will be withheld until conflicting claims are found to be allowable.

Since, there is a common assignee of the cited application and the present application. Applicants indicated in their Brief on Appeal that assignee is prepared to submit an appropriate Terminal Disclaimer in the present Application.

During the pendency of the Appeal in the present Application, the claims of copending Application were found to be allowable. Accordingly, the accompanying Terminal Disclaimer is submitted disclaiming the terminal part of the statutory term of any patent granted on the present Application which would extend beyond the expiration date of the full statutory term of copending U. S. Patent Application, Serial No. 09/213,858 filed December 16, 1998.

Applicants respectfully request that the attached terminal disclaimer be entered, and claims 1-3, 5-8, 10-13, and 15 be allowed.

Respectfully submitted,

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